

CLARK HILL PLLC
DOMINIC P. GENTILE
Nevada Bar No. 1923
Email: dgentile@clarkhill.com
GIA N. MARINA
Nevada Bar No. 15276
Email: gmarina@clarkhill.com
1700 South Pavilion Center Drive, Suite 500
Las Vegas, Nevada 89135
Tel: (702) 862-8300
Fax: (702) 778-9709
Attorney for Defendant Jessica Avras

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

CASE NO. 2:23-CR-00022-RFB-BNW-1

Plaintiff,

vs.

JESSICA AVRAS,

Defendant.

**STIPULATION AND ORDER TO CONTINUE SENTENCING
(FIRST REQUEST)**

IT IS HEREBY STIPULATED by and between Defendant, Jessica Avras, by and through her counsel, Dominic P. Gentile, Esq., of the law firm of Clark Hill, PLLC, and Plaintiff, United States of America, by and through Jason M. Frierson, United States Attorney, Richard Anthony Lopez, Thomas Wood Flynn, and Susan Cushman Assistant United States Attorneys, that the sentencing hearing, which is currently scheduled for January 4, 2024, at 9:30 a.m., be vacated and rescheduled to a day and time convenient to the Court but not earlier than April 15, 2024.

This Stipulation is entered into for the following reasons:

1. Sentencing in this matter is currently scheduled for January 4, 2024, at 9:30 a.m.
 2. The parties are prepared for sentencing, however, need an extension of the sentencing date due to the medical condition of the Defendant, Ms. Avras.
 3. Due to an obligation to keep HIPPA information confidential and the public nature of the instant document, counsel for the Defendant is willing to provide the Court more information on the condition of the Defendant if needed.

1 4. Upon information and belief, the Defendant has very recently been admitted to the
2 hospital for several severe diagnoses, which, in part, has affected Ms. Avras's ability to walk.

3 5. Due to the medical uniqueness of her current condition, Ms. Avras has been asked
4 by her medical providers to consent to be a subject in a case study.

5 6. Because of the status of her current medical condition, Ms. Avras cannot be
6 presented for her presentence interview with United States Probation Officer Cravotta.

7 7. Officer Cravotta and the attorneys for the government and defense have been made
8 aware of the Defendant's current medical status and are all in agreement with the instant stipulation
9 to continue sentencing. Should Ms. Avras's medical conditions improve in the timeframe
10 requested, she will have time to present for her presentence interview in order for Officer Cravotta
11 to comply with her requirement to submit a Presentence Investigation Report prior to sentencing.

12 8. Ms. Avras has appeared in this case, and is not in custody, and along with the
13 Government, agrees to this continuance.

14 9. The additional time requested herein is not sought for purposes of delay and the
15 denial of this request for a continuance could result in a miscarriage of justice.

16 10. Federal Rule of Criminal Procedure 32(b)(2) permits this Court to continue a
17 sentencing hearing for good cause. Good cause exists in this case.

18 11. For all the above-stated reasons, the ends of justice would be best served by a
19 continuance of the sentencing hearing.

20 12. This is the first request for a continuance of the sentencing hearing.

21 DATED this 20th day of November, 2023.

22 DATED this 20th day of November, 2023.

23 **U.S. ATTORNEYS OFFICE**

24 **CLARK HILL PLLC**

25 /s/ Samuel P. Robins
26 SAMUEL P. ROBINS
27 THOMAS WOOD FLYNN
28 SUSAN CUSHMAN
United States Attorneys
Attorneys for Plaintiff
UNITED STATES OF AMERICA

25 /s/ Gia N. Marina
26 DOMINIC P. GENTILE
27 GIA N. MARINA
28 Attorneys for Defendant
JESSICA AVRAS

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

CASE NO. 2:23-CR-00022-RFB-BNW-1

Plaintiff,

VS.

JESSICA AVRAS,

Defendant.

FINDINGS OF FACT, CONCLUSION OF LAW AND ORDER

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court hereby finds that:

CONCLUSIONS OF LAW

Based on the fact that counsel has agreed to a continuance, the Court hereby concludes that:

1. Sentencing in this matter is currently scheduled for January 4, 2024, at 9:30 a.m.
 2. The parties are prepared for sentencing, however, need an extension of the sentencing date due to the medical condition of the Defendant, Ms. Avras.
 3. Due to an obligation to keep HIPPA information confidential and the public nature of the instant document, counsel for the Defendant is willing to provide the Court more information on the condition of the Defendant if needed.
 4. Upon information and belief, the Defendant has very recently been admitted to the hospital for several severe diagnoses, which, in part, has affected Ms. Avras's ability to walk.
 5. Due to the medical uniqueness of her current condition, Ms. Avras has been asked by her medical providers to consent to be a subject in a case study.
 6. Because of the status of her current medical condition, Ms. Avras cannot be presented for her presentence interview with United States Probation Officer Cravotta.
 7. Officer Cravotta and the attorneys for the government and defense have been made aware of the Defendant's current medical status and are in agreement with the instant stipulation to continue sentencing. Should Ms. Avras's medical conditions improve in the timeframe requested,

she will have time to present for her presentence interview in order for Officer Cravotta to comply with her requirement to submit a Presentence Investigation Report prior to sentencing.

8. Ms. Avras has appeared in this case, and is not in custody, and along with the Government, agrees to this continuance.

9. The additional time requested herein is not sought for purposes of delay and the denial of this request for a continuance could result in a miscarriage of justice.

10. Federal Rule of Criminal Procedure 32(b)(2) permits this Court to continue a sentencing hearing for good cause. Good cause exists in this case.

11. For all the above-stated reasons, the ends of justice would be best served by a continuance of the sentencing hearing.

12. This is the first request for a continuance of the sentencing hearing.

ORDER

IT IS HEREBY ORDERED that the Sentencing Hearing in this matter presently scheduled for January 4, 2024, at 9:30 a.m. is hereby vacated and continued to **May 2, 2024 at 9:15 a.m. in Courtroom 7C.**

DATED this 21st day of November, 2023.

**RICHARD F. BOULWARE II
UNITED STATES DISTRICT COURT JUDGE
CASE NO.: 2:23-CR-00022-RFB-BNW-1**